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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,955	07/10/2003	Haruhito Ono	00862.023131.	1082
5514	7590 03/25/2005	EXAMINER		
	CK CELLA HARPER LLER PLAZA	LEE, JOHN D		
NEW YORK,			ART UNIT	PAPER NUMBER
•			2874	
			DATE MAILED: 03/25/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.



A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the precision of TCPR 1.136(s). In no event, however, may a reply be simely filed if the period for reply specified above is less than thinty (30) days, a reply within the statisticy relind will provide the precision of the precision of the precision of the period for reply is specified above. The manufacture precision day and wet express (30) MOMTH'S from the entiring falls of this communication. Any reply recisived by the Office later than three months after the malling data of this communication, even if threely fleet, may reduce any senter placeful than adjustment. See 37 CFR 1.704(s). Status 1) Responsive to communication(s) filled on		Application No.	Applicant(s)				
John D. Lee 2874	Office Action Commence	10/615,955	ONO ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extentions of time may be available under the provisions of 3 CFR 1.136(s). In no event, however, may a reply the timely filed by the period for reply specified above is less than thirty (30) days, at reply within the statutory minimum of thirty (30) days will be considered timely. If the period for reply specified above, the readoms related to period by purply and will sepies (6) (MONTH's from the realizing date) of the communication to become ABANDONED (50 U.S. \$ 133). If the period for reply specified above, the readoms related period will apply and will sepies (6) (MONTH's from the realizing date) of the communication, the period for reply with the set of extended period for reply with the set of extended period for reply with the set of the communication to become ABANDONED (50 U.S. \$ 133). The period for reply specified above, the replication is a condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quey/e, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims Algorithm (1) 1-22 is/are pending in the application. 4) Of the above claim(s) is/are ellowed. (a) Claim(s) is/are allowed. (b) Claim(s) is/are rejected. (c) Claim(s) is/are rejected. (c) Claim(s) is/are rejected. (d) Claim(s) is/are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. Application Papers 9) The Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). (a) Claim(s) 1-22 are subject to restriction and/or election requirement. Application Papers 9) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). (a) Certified copies of the priority documents have been received. (a	Office Action Summary	Examiner	Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>1</u> MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CPR 1.136(s). In one event, however, may a reply be timely filed - If the period for reply specified above, the maximum statutory period will apply and will expire SIX (8) MORT its from the mailting date of this communication. - Failure to reply will be set or eventile above, the maximum statutory period will apply and will expire SIX (8) MORT its from the mailting date of this communication. - Failure to reply will be set or eventile above, the maximum statutory period will apply and will expire SIX (8) MORT its from the mailting date of this communication. - Failure to reply will be set or eventile above, the mailting date of this communication, even it is may find the set of the communication, even it is may find the set of the communication, even it is may find the set of the communication, even it is may find the set of the communication, even it is may find the set of the communication, even it is may find the set of the communication, even it is may find the set of the communication, even it is may find the communication and its replication is provided to may set of the communication, even it is replication and set of the communication. - Status - Status - This action is FINAL. - 2b) This action is non-final. - 3l) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparted Quayle, 1935 C.D. 11, 453 O.G. 213. - Disposition of Claims - 4) Claim(s) 1_20 is/are pending in the application. - 4a) Of the above claim(s) is/are explication is in accordance with the practice under Exparted Quayle, 1935 C.D. 11, 453 O.G. 213. - Claim(s) 1_20 are subjected to by the Examiner. - 5) Claim(s) is/are allowed. - 6) Claim(s) is/are objected to by the Examiner. - 7) Claim(s) is/are objected to by the Examiner. - 8) The drawin							
THE MAILING DATE OF THIS COMMUNICATION. Extractions of time may be available under the provisions of 3 CFR 1.13(a). In no event, however, may a reply be timely filed after SX (6) MOSHTS from the natiling date of this communication. The provision of the provisi	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
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Application/Control Number: 10/615,955

Art Unit: 2874

Restriction to one of the following inventions is required under 35 U.S.C. § 121:

I. Claims 1-19, drawn to a multi-charged beam lens and exposure apparatus, classified in class 250, subclass 396R.

II. Claim 20, drawn to a device manufacturing method involving drawing a pattern on a photosensitive substrate and subsequently developing the substrate, classified in class 430, subclass 327.

The inventions are distinct, each from the other because:

Inventions I and II are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case the process for using the product as claimed can be practiced with another materially different product, to wit: since the process as claimed only involves the steps of drawing a pattern on a photosensitive substrate and subsequently developing the substrate, a conventional optical lens could be used for drawing the pattern.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, and because the search required for Group II is not required for Group I, restriction for examination purposes as indicated is proper.

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Applicant is advised that the reply to this requirement to be complete must

include an election of the invention to be examined even though the requirement may

be traversed (37 CFR § 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected

invention, the inventorship must be amended in compliance with 37 CFR § 1.48(b) if

one or more of the currently named inventors is no longer an inventor of at least one

claim remaining in the application. Any amendment of inventorship must be

accompanied by a request under 37 CFR § 1.48(b) and by the fee required under 37

CFR § 1.17(i).

Any inquiry concerning the merits of this communication should be directed to

Examiner John D. Lee at telephone number (571) 272-2351. The Examiner's normal

work schedule is Tuesday through Friday, 6:30 AM to 5:00 PM. Any inquiry of a general

or clerical nature (i.e. a request for a missing form or paper, etc.) should be directed to

the Technology Center 2800 receptionist at telephone number (571) 272-1562, to the

technical support staff supervisor (Team 8) at telephone number (571) 272-1564, or to

the Technology Center 2800 Customer Service Office at telephone number (571) 272-

1626.

John DLee

Frimary Patent Examiner

Group Art Unit 2874